

Notice of Allowability

Application No.

10/002,399

Examiner

Devesh Khare

Applicant(s)

HARDING ET AL.

Art Unit

1623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/14/2005.
2. ☒ The allowed claim(s) is/are 42-45,61 and 85-100.
3. ☒ The drawings filed on 31 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

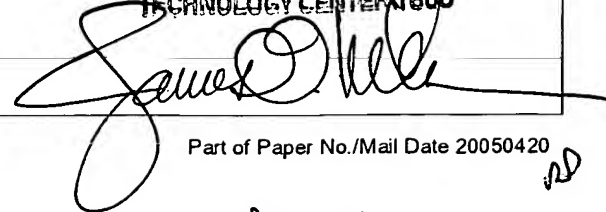
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/17/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 4/20/2005
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES O. WILSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600



The amendment and remarks received on 02/14/2005 have been entered. New claims 98-100 have been added.

The examiner withdraws the 35 U.S.C. 102(b) rejections of claim 61, as being anticipated by Morse in response to applicant's remarks that the Morse reference neither teaches nor suggests the step (a) wherein the cellulose pulp is recovered by mercerization. Because the mercerized and recovered cellulose flocs of claim 61 have significantly greater dry floc densities than those prepared from unmercerized pulp as in Morse.

The terminal disclaimer filed over prior U.S. Patent No. 6,686,464 for claims 42-45, 85-97 and newly added claims 98-100 has been approved.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Jay Lessler on 04/20/05.

Claims 1-43, 46-60 and 62-84 have been cancelled without prejudice.

Claims 42-45, 61 and 85-100 are currently pending in this application.

Claims 42-45, 61 and 85-100 are allowed.

2. The following is an examiner's statement of reasons for allowance: Claim 61 is drawn to a cellulose floc prepared by the steps (a) wherein the cellulose pulp is

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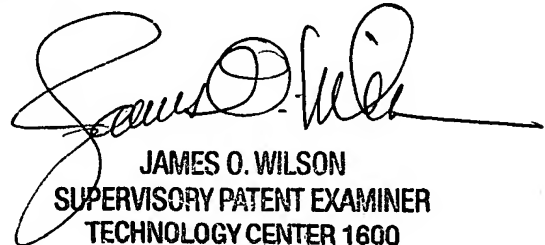
recovered by mercerization and (b) treating the mercerized pulp to form a cellulose floc, is not taught or fairly suggested by the prior art of the record.

A terminal disclaimer has been approved over prior U.S. Patent No. 6,686,464 for claims 42-45, 85-97 and newly added claims 98-100.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1235.

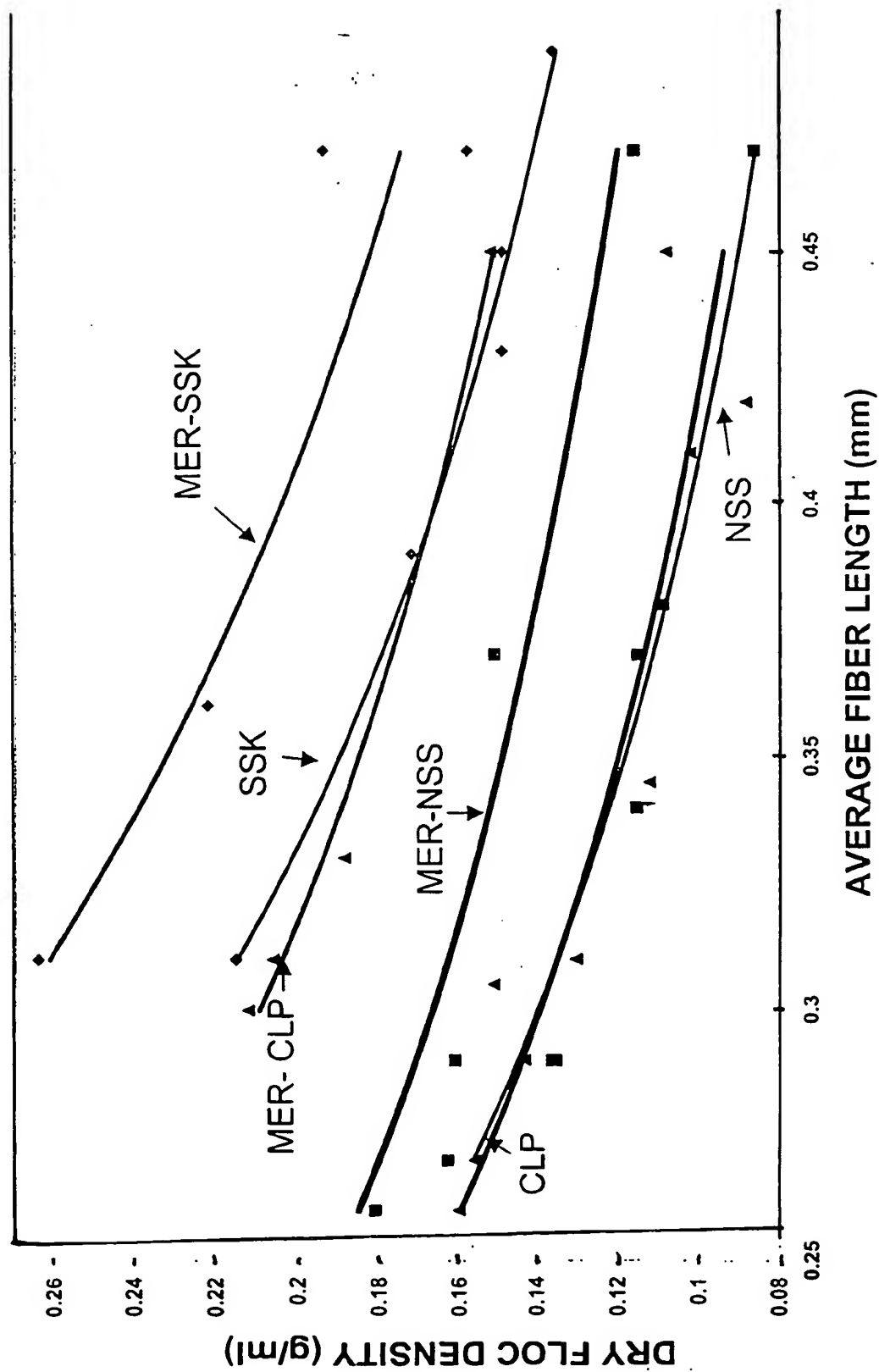
Devesh Khare, Ph.D.,J.D.
Art Unit 1623
April 20, 2005



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FOI 100-156820001

FIGURE 1



1000299-103101

FIGURE 2

